

# Portugal

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 [freedomhouse.org/report/freedom-press/2014/portugal](http://freedomhouse.org/report/freedom-press/2014/portugal)

## Freedom of the Press

Freedom of the press is guaranteed by the constitution, and laws against insulting the government or the armed forces are rarely used against journalists. A 2007 revision of the Journalist Statute allows courts investigating criminal cases to order journalists to divulge their confidential sources. Lawmakers argued that the identity of sources would, in many instances, be too difficult to procure through other means, but journalists asserted that the revision would effectively allow judges to make them carry out police work. The rule has not been used to date.

Defamation and libel are criminal offenses under Articles 180 and 181 of the penal code, and penalties are increased by one half if the offended party is a public official. In May 2013, journalist Miguel Sousa Tavares was under investigation for a comment he made during an interview with *Jornal de Negócios* calling President Aníbal Cavaco Silva a clown. He faces up to three years in prison if found guilty. However, also that month, journalists Célia Rosa and Isabel Stilwell were acquitted after a 2007 conviction in a defamation case for reporting on controversial decisions by a judge in Braga in 2000 and 2001. The state also refused to prosecute the Angolan journalist Rafael Marques de Morais and his Portuguese publishing house for defamation in February, despite pressure from Angolan military figures upset over the publication of his book on the blood diamond industry. Angola has become increasingly influential in Portugal as the cash-strapped country has sought investments in numerous sectors from its resource-rich former colony.

Portugal passed an access to information law in 2003, adding to the 1993 Law of Access to Administrative Documents. Much government information is freely accessible in practice, although laws prohibit news coverage or commentary on ongoing judicial investigations and trials. In October 2013, an auto club in Madeira announced that it would refuse admittance of credentialed journalists to its rallies without justification, which is in violation of Articles 10 and 19 of the Portuguese constitution.

The media are generally free from political interference. However, current and former politicians often act as political commentators, and political parties rely increasingly on pundits to push agendas. In April 2013, former prime minister José Sócrates joined state broadcaster Rádio e Televisão de Portugal (RTP) as a political commentator, along with Social Democratic Presidency Minister Nuno Morais Sarmento. The increasing influence of Angola over the Portuguese government has also resulted in political intrusion into the media sector. In 2012, the radio program *Este Tempo*, run on RTP, was canceled after one of its guests criticized the channel for propagandizing for the Angolan regime at the behest of the government.

Cases of physical harassment or intimidation of journalists are rare. However, in May 2013 the journalists' group Sindicato dos Jornalistas expressed concern over a trend in which reporters were harassed and attacked at sporting events, citing three different such attacks in the first half of 2013.

Portugal has six main national newspapers: four dailies and two weeklies. State-run and state-financed media outlets are considered to be editorially independent. There are around 300 local and regional private radio stations; Rádio Renascença, which is run by the Roman Catholic Church, commands a wide audience. Commercial television has been making gains in recent years, providing serious competition for the underfunded public broadcasting channels. The internet in Portugal is unrestricted, and about 62 percent of the population accessed it in 2013. Many prominent journalists and politicians contribute to

social media and blogs. In March 2013, Portugal joined several other European nations in demanding that Google pay for content on its news search engine.

As in many countries, the media in Portugal have felt the impact of the ongoing economic crisis, suffering from advertising losses and shrinking print circulation. This has led some media outlets to enter into financial arrangements that may compromise their independence. The Committee to Protect Journalists (CPJ) reported in March on a significant influx of Angolan money into the media sector. Angolan shareholders in the Newshold media group hold a large stake in outlets such as *So!*, one of Portugal's largest weeklies, as well as two major magazines, tabloids, and business papers. According to CPJ, many such outlets practice self-censorship to avoid antagonizing their Angolan patrons, whose investments are critical to their continued operation.

The lack of job security for many younger journalists makes them more vulnerable to self-censorship and pressure regarding content. After large-scale layoffs from several outlets in 2012, Impresa group laid off four additional journalists from *Expresso* in May 2013. In its 2013 budget proposal, the government released plans to privatize RTP. In September, the government announced that RTP would remain public, though in November it announced a cut to its annual funding of €30 million (\$39.3 million) and a cap on advertising.

## **2014 Scores**

### **Press Status**

Free

### **Press Freedom Score**

**(0 = best, 100 = worst)**

18

### **Legal Environment**

**(0 = best, 30 = worst)**

5

### **Political Environment**

**(0 = best, 40 = worst)**

7

### **Economic Environment**

**(0 = best, 30 = worst)**

6